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**IN THE
SUPREME COURT OF THE UNITED STATES**

October Term 1998

**Board of Regents, University of Wisconsin,
Petitioner,
v.**

**Scott Southworth, et al.,
Respondents.**

**On Writ of Certiorari to the United States Court of
Appeals for the Seventh Circuit**

**AMICUS CURIAE BRIEF OF
OWEN BRENNAN ROUNDS;
H.E. FRIEDERICH VON CARP;
HARRISON LYNCH; ED MATTHEWS;
AND STUDENTS FOR LEGAL GOVERNMENT
IN SUPPORT OF RESPONDENTS**

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August 9, 1999

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IDENTITY AND INTEREST OF AMICI

Pursuant to Supreme Court Rule 37, Owen Brennan Rounds, H.E. Friederich Von Carp, Harrison Lynch, Ed Matthews, and Students for Legal Government respectfully submit this brief amicus curiae in support of Respondents Scott Southworth, *et al.* All parties consented to the filing of this brief. The letters of consent have been lodged with the Clerk of this Court. Pursuant to Supreme Court Rule 37.6, Amici affirm that no counsel for any party in this case authored this brief in whole or in part and, furthermore, that no person or entity has made a monetary contribution specifically for the preparation or submission of this brief.

Owen Brennan Rounds, H.E. Friederich Von Carp, Harrison Lynch, and Ed Matthews were students at the University of Oregon in Eugene, Oregon. They objected to paying a mandatory fee to subsidize the Oregon Student Public Interest Group Educational Fund ("OSPIRG EF"). In a decision issued February 23, 1999, the Court of Appeals for the Ninth Circuit rejected their First Amendment claims against the Oregon State Board of Higher Education, the University of Oregon, OSPIRG EF, and a number of state and university officials. *Rounds v. Oregon State Board of Higher Education*, 166 F.3d 1032 (9th Cir. 1999), *pet. for reh'g pending decision in Southworth granted* (Rounds, 9th Cir. 1999).

In its *Rounds* decision, the Ninth Circuit found that First Amendment claims in the student activity fee context warrant only intermediate scrutiny. *Id.* at 1037. The Ninth Circuit also found that OSPIRG EF engages only in "educational," not "political," activities, *Id.* at 1038, and that support of OSPIRG EF's activities with mandatory student fees does not offend the First Amendment. *Id.* at 1040. The *Rounds* students filed a petition for rehearing which the Ninth Circuit has deferred pending resolution of *Board of Regents v. Southworth*.

SUMMARY OF ARGUMENT

Amici support the determination by the court below that the First Amendment prohibits the compelled funding of private student groups' political and ideological activities. Even if, however, the Court determines that some such compelled funding can survive constitutional scrutiny, Amici submit that such funding of political activity is unconstitutional when (i) the targets of the funded group are not students *qua* students but, rather, federal and state political leaders and the population at large, and (ii) the funded group spends the greater part of the funds derived from mandatory fees at locations geographically far removed from the campus of origin.

ARGUMENT

Introduction

The First Amendment protects a person's right *not* to associate. *Roberts v. United States Jaycees*, 468 U.S. 609, 623 (1984) ("*Roberts*") ("Freedom of association . . . plainly presupposes a freedom not to associate"). This right is infringed upon when a person is compelled to subsidize the expressive activities of another. *Abood v. Detroit Board of Education*, 431 U.S. 209, 222 (1977) ("*Abood*") ("To compel employees financially to support their collective-bargaining representative has an impact upon their First Amendment interests."). Compelled funding must be "carefully tailored" to minimize this infringement. *Chicago Teachers Union v. Hudson*, 475 U.S. 292, 302 (1986) (citing *Roberts*, 468 U.S. at 623 (1984) for the proposition that "[i]nfringements on freedom of association 'may be justified by regulations adopted to serve compelling state interests, unrelated to the suppression of ideas, that cannot be achieved through means significantly less restrictive of associational freedoms.'").

The constitutionality of compelled funding has arisen in two relatively narrow contexts, agency-shop cases and integrated-bar cases. *Abood*, 431 U.S. 209 (1977); *Keller v. State*

Bar of California, 496 U.S. 1 (1990) ("*Keller*"). This Court has not addressed compelled funding in the educational context. In the agency-shop and integrated-bar contexts, however, this Court has held that compelled funding does not violate the First Amendment provided that the subsidized activity is *germane* to the government interest that justifies the exaction. *Abood*, 431 U.S. at 235-36; *Keller*, 496 U.S. at 13-14.

In the context of agency-shop cases, compelled funding that is germane to collective bargaining is carefully tailored to minimize infringement on First Amendment rights by application of three factors. First, the purpose behind the agency-shop laws, labor peace through collective bargaining, is a legitimate government purpose. Second, in the face of the free-rider problem discussed *infra*, compelled funding is the most narrowly tailored manner in which the government can achieve this purpose. Third, the government's purpose, collective bargaining, is relatively narrow and requiring subsidized activities to be germane thereto ensures that compelled speech is as narrowly drawn as possible.

These same three factors apply in the context of integrated-bar cases. First, the purpose behind integrated-bar laws, regulation of the legal profession and the improvement of the

legal system, is a legitimate government purpose. Second, again because of the free-rider problem, compelled funding is the most narrowly tailored manner in which the government can ensure these purposes. Third, the government's interest, regulation of the legal profession and improvement of the legal system, is relatively narrow and requiring that subsidized activities be germane thereto ensures that compelled speech be as narrowly drawn as possible.

In the agency-shop and integrated-bar contexts, the government's purposes are legitimate and the free-rider problem mandates compelled funding. Accordingly, the only factor left to assess is whether the subsidized activities are *germane* to the applicable governmental purpose. Moreover, because these purposes are relatively narrow, the germaneness inquiry assures that compelled funding is as narrowly drawn as possible and therefore constitutional.

The mandatory-student-fee context presents a more difficult problem. The purpose behind compelled funding, education, is obviously a legitimate governmental interest, but it is by no means clear that there is a free-rider problem. In the absence of a free-rider problem, the government's educational mission may be pursued without compelled funding, and which would eliminate impositions on associational freedoms.

Amici suggest that this Court consider whether there is a sufficient concern with free-riders in the compelled student fee context to justify mandatory exactions. In the absence of such a concern, the objecting students should not be required to fund voluntary third-party activities. If compelled funding is found to be justified, Amici suggest that simple germaneness to education is not of itself sufficient to establish that the compelled speech is as narrowly drawn as possible, and that the government's interest in education should be pursued in ways that are significantly less restrictive of associational freedoms than the compelled funding of political and ideological activities. Finally, even if compelled funding of political activities is found to be justified in the educational context, Amici respectfully request that the Court provide guidance to the effect that such funding is not warranted if the funded entity (i) targets off-campus political leaders and the general population (ii) from locations geographically far removed from the campus that is the source of the funds.

The Free-Rider Problem

Mandatory funding is necessary in the agency-shop and integrated-bar contexts because of the free-rider problem. *Abood*, 431 U.S. at 224; *Keller*, 496 U.S. at 12; *Lehnert v. Ferris*

Faculty Association, 500 U.S. 507, 520-21 (1991) ("*Lehnert*"). The free-rider problem arises because non-union employees and collective bargaining representatives share a common cause. *Abood*, 431 U.S. at 222-23 (citing with approval Justice Douglas' concurrence in *International Association of Machinists v. Street*, 367 U.S. 740, 778 (1961) ("*Machinists*"), in which Justice Douglas wrote, "[t]he furtherance of the common cause leaves some leeway for the leadership of the group. As long as they act to promote the cause which justified bringing the group together, the individual cannot withdraw his financial support merely because he disagrees with the group's strategy". Non-union employees directly benefit from a collective bargaining representative's ability to negotiate favorable terms of employment; if non-union employees were allowed not to fund the efforts of collective bargaining representatives, they would receive the benefits of union negotiation without bearing the costs. This free-rider problem can *only* be mitigated by requiring non-union employees to fund the collective bargaining related activities of collective bargaining representatives. Because of the free-rider problem, the governmental interest of labor peace cannot be pursued through collective bargaining without compelling non-union employees to fund the activities of collective bargaining representatives. The same free-rider problem applies, though less

directly, in the integrated-bar context. *Keller*, 496 U.S. at 12.

It is not clear, however, that this free-rider problem applies in the educational context. In the instant case, the government has compelled students to fund the expressive activities of voluntary student groups and justified such compelled funding on the basis of its interest in education. In the educational context, however, the free-rider problem is more attenuated; any educational benefits that a student group might provide do not directly benefit students who oppose the funding of such a group. For example, a conservative student derives no direct educational benefit from the expressive activities of a student socialist group; the conservative student is opposed to the expressive activities of such a group and will not willingly participate in those activities. Because the conservative student receives no direct educational benefit from the socialist group's expressive activities, the conservative student will not become a free-rider by failing to fund the socialist group.

It might be argued that the mere existence of the socialist group provides some indirect educational benefit to the conservative student. Any such benefit, however, is a far cry from the direct benefits that create the free-rider problem in the agency-shop and integrated-bar contexts.

This difference in magnitude, if not in kind, suggests that compelled funding should be found unconstitutional because there are less restrictive ways for the government to pursue its educational goals than to require students to pay for political positions with which they disagree.

Assuming that a free-rider problem is found to exist in the educational context, the next question is whether the activities are tailored sufficiently narrowly to justify the imposition on the First Amendment.

The Breadth of "Education"

Infringement of First Amendment freedoms requires that the subsidized activity be germane to the governmental purpose. *Abood*, 431 U.S. at 235-36; *Keller*, 496 U.S. at 14. Because collective bargaining and regulation of the legal system are relatively narrow purposes, the germaneness requirement ensures that compelled speech is as narrowly drawn as possible.

Education, the governmental purpose purportedly served in the mandatory student fee context, is a significantly broader purpose than collective bargaining or regulation of the legal profession. While these latter purposes are narrow enough to provide some limits on compelled funding, education is not. The court below in

the case at bar recognized this when it stated that "everything - is in a sense educational." *Southworth*, 151 F.3d at 725. The Supreme Court of California also recognized this in *Smith v. Board of Regents of the University of California*, 4 Cal. 4th 848 (1993), *cert. denied*, 510 U.S. 862 (1993), when it stated that in contrast to the purposes in the agency-shop and integrated-bar contexts, "the University's educational function is extremely broad; it potentially encompasses all of life." *Id.* at 855. Indeed, it is common wisdom that the best way to learn to do something is by doing it, and participation in the expressive activities of any student group will provide at least some educational benefit to those whom participate. Thus, it could be argued that the activities of all student groups are to some extent "germane" to the education of those who participate.

The broad nature of education, unlike collective bargaining and lawyer regulation, means that it does not provide a criterion that ensures that compelled speech is as narrowly tailored as possible. That a particular expressive activity is merely "germane" to education does not conclusively establish that the activity does not offend the First Amendment. The California Supreme Court recognized this in *Smith* when it stated:

[A] group's dedication to achieving its political or ideological goals, at some point, begins to outweigh any legitimate claim it may have to be educating students on the University's behalf. To fund such a group through mandatory fees will usually constitute more of a burden on dissenting students' speech and associational rights than is necessary to achieve any significant educational goal. The University can teach civics in other ways that involve a lesser burden on those rights, or no burden at all. *Id.*

Amici suggest that, unlike collective bargaining and the regulation of the legal profession, education does *not* provide a criterion sufficient to establish the constitutionality of compelled funding. Rather, Amici suggest that the court below was correct in holding that subsidized political and ideological activities violate objecting students' First Amendment rights even if the funding somehow promotes education. Simply put, the government can pursue its interest in education in ways less restrictive to First Amendment rights than compelling students to fund political and ideological activities of voluntary, independent student groups with which they disagree simply because those activities might provide some educational benefit to other students.

The Meaning of "Political" Activity and the Insufficiency of the Educational Element

As discussed above, governments can pursue educational goals in ways less restrictive of First Amendment freedoms than to compel the funding of the political and ideological activities of student groups. Compelled funding must be as narrowly drawn as possible to achieve a legitimate government purpose, *Chicago Teachers Union v. Hudson*, 475 U.S. at 302-03; this suggests that compelled funding of political and ideological student activities is prohibited by the First Amendment.

In the *Rounds* decision, the Ninth Circuit stated that OSPIRG EF's activities were "educational," not "political." 166 F.3d at 1040. The *Southworth* court did not entertain such a distinction, and the Ninth Circuit's holding in this regard seems peculiar; indeed, in light of the record in the *Rounds* case, which is based upon OSPIRG EF's own statements and materials, it appears that OSPIRG does indeed engage in what fairly can be characterized as political or ideological activities. For example, the record establishes that OSPIRG EF engaged in the following activities (citations are to Exhibits A, B, and C, copied from the record):

- Lobbying President Clinton by sending post cards urging him to prevent a controversial timber sale in Oregon (Exhibit A at 2-3)
- Lobbying Congress by collecting signatures for an environmental petition to be sent to then Speaker of the House of Representatives Newt Gingrich and other members of Congress (Exhibit A at 6-7)
- Lobbying the Secretary of Energy by sending signed light bulbs in an effort to increase funding for renewable energy programs (Exhibit A at 8)
- Lobbying the Oregon legislature to retain the state's recycling program through a post card campaign and testifying at public hearings (Exhibit B at 1)
- Lobbying for the Toxic Use Reduction Act (Exhibit C at 2)
- Backing legislation to set "organic" food quality standards (*Id.*)
- Registering students as voters (Exhibit B at 2)
- Sending petitions to Congress to mark the 25th anniversary of Earth Day (Exhibit A at 4)

- Educating the general population about the Endangered Species Act (which was up for reauthorization before the 104th Congress) (Exhibit A at 5)

Amici believe that OSPIRG EF's activities do implicate First Amendment protections even though Amici have consistently conceded that there is some educational component to OSPIRG EF's activities. Amici also concede that there are many other voluntary student organizations on the University of Oregon campus that receive mandatory fee funds and that engage in activities that implicate the First Amendment; for example, the funding of the Muslim Student Association on the University of Oregon campus obviously raises the First Amendment issue of establishment of religion. Amici restricted their challenge to the mandatory funding to OSPIRG EF's political activities because, unlike all other entities that receive incidental fees from the University of Oregon, (i) OSPIRG EF directs its efforts to off-campus audiences (President Clinton, Congress, then-Speaker Gingrich, *etc.*), and (ii) the vast majority of funds OSPIRG EF receives from University of Oregon students is spent at OSPIRG EF's administrative headquarters in Portland and at other locations many miles distant from the Eugene campus. Amici claimed that these two factors – the off-campus nature of both the targets and the organizational heart of the funded group –

clearly implicated the First Amendment and that, because there was an insufficient nexus between the activities and the educational purpose, such funding was unconstitutional. Amici seek from this Court a ruling in the instant case that, at a minimum, preserves these claims before the Ninth Circuit and, perhaps, ultimately this Court.

CONCLUSION

Unlike the agency-shop and integrated-bar situations, no “free-rider” problem arises from the funding of voluntary student organizations with mandatory exactions. Accordingly, the First Amendment should be construed to prohibit those exactions. If, however, it is determined that mandatory exactions may, under certain circumstances, be used to fund voluntary student organizations, Amici respectfully submit that it would not be a constitutional use of such authority to fund an organization engaging in political activities that are (i) directed toward off-campus politicians and populations, and (ii) administered and governed from a geographic location many miles distant from the campus that is the source of the funds.

Respectfully submitted,

/s/ **Thomas H. Nelson**

Thomas H. Nelson
Of Attorneys for Amici

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

OWEN BRENNAN ROUNDS, et al,

Plaintiffs,

vs.

THE OREGON STATE BOARD OF
HIGHER EDUCATION, et al,

Defendants.

Case No. 95-6132-TC

DEPOSITION OF KALPANA KRISHNAMURTHY

BE IT REMEMBERED, That the deposition of Kalpana Krishnamurthy was taken, pursuant to the Federal Rules of Civil Procedure, on Friday, February 2, 1996, beginning at 10:05 a.m., at the law offices of Johnson, Clifton, Larson & Corson, 975 Oak, Suite 1000, Eugene, Oregon, before Sharon Gorham, CSR/RMR, Shorthand Reporter.

C&C
Court
Reporting

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EXHIBIT X

ORIGINAL

Exhibit A
Page 1 of 8

30
K. Krishnamurthy

1 On the next page, it says, 17, Hunger and
2 Homelessness.

3 A. Yeah.

4 Q. And you have to forgive me, I didn't go to
5 U of O, so I'm not really as familiar with around here as I
6 could. There's a sentence down here that says: "In
7 advocating for the renovation."

8 A. Correct.

9 Q. It says: "In advocating for the renovation of
10 the Amazon Housing Complex, OSPIRG students sent over 200
11 empty plates to the State Board of Higher Education." And
12 this may be something that you can clarify really simple
13 for me -- simply for me. What is the Amazon Housing
14 Complex?

15 A. It's the only low-income student housing offered
16 at the University of Oregon, or some of the only.

17 Q. Okay. That's fine. I didn't know, so I thought
18 I'd ask.

19 Let's drop down to Ancient Forests.

20 A. Right.

21 Q. The second sentence starts: "OSPIRG students
22 have been active for several terms educating the campus
23 community about the value of ancient forests and advocating
24 for their protection." If we drop down to the last
25 sentence, it says: "More specifically, OSPIRG students

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EXHIBIT X

Exhibit A
Page 2 of 8

1 publicized local hearings around the Opal Creek issue and
2 collected hundreds of postcards calling on Clinton to
3 prevent the Sugarloaf timber sale."

4 Did OSPIRG engage in that activity?

5 A. OSPIRG worked with a coalition of student groups
6 to engage in that activity, yes.

7 Q. What were the student groups involved in this
8 coalition?

9 A. From what I remember, the Survival Center, the
10 Oregon Student PIRG Education Fund, and how many other
11 groups are under the Survival Center.

12 Q. How did you publicize local hearings?

13 A. I don't actually remember that.

14 Q. Okay. I'll ask the same question I asked
15 previously about the postcards sent to the governor and the
16 EQC. How -- were any of the materials sent to -- let me
17 ask this question. At the time this was sent, would this
18 reference to Clinton be a reference to President Clinton?

19 A. It would be a reference to the President of the
20 United States, Bill Clinton.

21 Q. And what happened to be the printing -- were any
22 of these postcards sent to the President printed?

23 A. Yes.

24 Q. And would you happen to remember where the
25 printing was done?

1 Public Interest Research Group, engage in these activities?

2 A. The Oregon Student PIRG Education Fund did engage
3 in a petition for the 25th anniversary of Earth Day.

4 However, OSPIRG did not write 25 steps that Congress can
5 take to protect the environment.

6 Q. Did the Oregon Student Public Interest Research
7 Group send a petition to the United States Congress in
8 relation to Earth Day? Or participate in that process?
9 Excuse me, let me rephrase the question.

10 Did the Oregon Student Public Interest Research
11 Group participate in sending a petition to United States
12 Congress for the 25th anniversary of Earth Day?

13 A. Yes.

14 Q. Okay.

15 There's a lot of technology floating around
16 nowadays. Are you familiar with the Worldwide Web or the
17 Internet?

18 A. Barely.

19 Q. Barely. That makes two of us.

20 I'm going to hand you what's previously been
21 marked Exhibit 129; the exhibit stamp is from Moore and
22 Henderson, so I'm assuming that it's from the Portland
23 depositions that were recently taken.

24 A. Um-hm.

25 Q. It says, "The PIRGs' Campus Chapters." And then

1 "According to OSPIRG leaders, several US Senators
2 have made gutting the Endangered Species Act one of their
3 top priorities and action needs to be taken to stop
4 Congress from weakening the Act." Then it continues:

5 "'The Endangered Species Act is the crown jewel of
6 America's environmental laws and our best legal defense
7 against growing -- against a growing tide of extinction and
8 habitat destruction,' said Laura Siegal, OSPIRG's campaign
9 coordinator. 'As Oregonians, we need to get active so our
10 leadership -- so that our leadership prioritize this
11 issue.'"

12 Let me ask a question. During your tenure, has
13 the U of O chapter of OSPIRG been involved in strengthening
14 the Endangered Species Act?

15 A. Well, no, we're not elected members of Congress.

16 Q. Okay. Have you had any campaigns or issues
17 worked on by OSPIRG related to the Endangered Species Act
18 during your tenure?

19 A. Yes.

20 Q. And what would those campaigns and activities be?

21 A. Educational forums on the Endangered Species
22 Act. More importantly, a campaign with the Endangered
23 Species -- or let me check. It was either National
24 Wildlife or Endangered Species Coalition, that involved
25 medicine pill bottles that we were sending to Congress,

1 A. Yes.

2 Q. It drops down and it says -- let's drop where it
3 says "Krishnamurthy was Oregon's." Do you see that
4 paragraph?

5 A. Got it.

6 Q. "Krishnamurthy was Oregon's sole representative
7 in the Earth Day Campus Summit, part of the Earth Day 1995
8 Free the Planet campaign. The campaign's three objectives
9 are to activate grassroots politics, stop corporate green
10 washing, and pass environmental legislation in Congress,
11 Krishnamurthy said."

12 Would that be a fair characterization of
13 activities you did previously or anything you said
14 previously?

15 A. Yes.

16 Q. It also went on to say: "April 22nd is Earth
17 Day's 25th anniversary, and the campaign lasts through
18 July 4th. OSPIRG has been collecting student signatures
19 for the campaign, a so-called environmental petition to
20 Newt Gingrich. Lee" -- oh, well, let's stop there.

21 Would that be a fair characterization of OSPIRG
22 activities during that time period?

23 A. Yes.

24 Q. It goes on to say: "Lee Novak, OSPIRG's Free the
25 Planet coordinator, said the purpose of the petition is to

1 tell Newt that this election was not a mandate against the
2 environment. Novak said that OSPIRG students have
3 collected 3,000 signatures from university students and
4 hope to have 7,000 by April."

5 Let me ask this question. Was OSPIRG involved in
6 activities in collecting -- okay. I retract that.

7 Was the U of O chapter of the Oregon Student
8 Public Interest Research Group involved in obtaining
9 signatures to be placed on a petition to be sent to any
10 member of Congress in relation to the Free the Planet
11 campaign?

12 A. Yes.

13 Q. Let's drop down to the paragraph that says: "She
14 encourages."

15 A. Um-hm.

16 Q. No, I have no further questions on this one.

17 I don't think this has been entered previously.

18 This will be the next exhibit, Exhibit Number 6.

19 This document is entitled, "The Report of the
20 Oregon Student Public Interest Research Group." And on the
21 second page of the document, it's dated January 1, 1995.

22 Is that your signature at the bottom of the page?

23 A. Yes, it is.

24 MISS JOHNSON: One question about this document.

25 MR. BELNAVIS: Certainly.

1 renewable energy programs, providing OSPIRG with one of our
2 first victories in the campaign for R.E.A.L., renewable,
3 efficient, affordable, lasting energy."

4 Would that be a correct characterization of an
5 OSPIRG -- let me rephrase the question.

6 Was OSPIRG involved in any manner in helping to
7 increase in fiscal year 1995 funding for renewable energy
8 programs?

9 A. Not directly, no.

10 Q. How about indirectly?

11 A. Students carried out a campaign known as Light
12 Bulbs to O'Leary, where we had students signing light
13 bulbs --

14 Q. Um-hm.

15 A. -- that said we support -- we support research
16 into renewable energy resources.

17 Q. Okay.

18 A. It did not suggest numbers, it did not suggest --
19 as far as I remember, it did not suggest numbers or
20 specific types of energy. It just said that students
21 support renewable energy research.

22 Q. Who's O'Leary?

23 A. Hazel O'Leary, the Secretary of Energy. If there
24 is -- Secretary of Energy.

25 Q. Okay.

OSPIRG

The purpose of OSPIRG shall be to articulate and pursue through the courts, the media, the institutions of government and other legal means, the concerns of the students of the state of Oregon on issues of general public interest. In such areas as environmental protection, and consumer protection, "Protection and Regulation by students of the Oregon State System of Higher Education" creates OSPIRG, submitted February, 1971)

Driven by the ideal, students in Oregon have become one of the state's leading voices on consumer and environmental issues. The unique joining of student energy and idealism with professional knowledge and expertise has enabled OSPIRG to have a profound impact on issues that affect the quality of the body and the generations to come.

ENVIRONMENTAL ACTION/ EARTH DAY

From protesting the destruction of ancient forests in Oregon to protecting drinking water, environmental defense has long been of primary concern to students. Their accomplishments in this area have demonstrated an enduring investment in the future of our planet.



Environmental action programs encompass a wide variety of issues and activities. Students develop and teach environmental education programs, conduct postcards to influence federal energy policies and bring noted speakers to campus. OSPIRG also has a library of up-to-date Earth Day events. The Free the Planet campaign is an example of student efforts to promote grassroots action over corporate gifts on the 25th anniversary of Earth Day. These programs serve to educate

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Exhibit B

the community about issues relevant to public health and the environment. Additionally, student work serves to motivate elected officials on a local, statewide and national scale to accurately represent the public interest.

RECYCLING

Students working with OSPIRG have been instrumental in the development of recycling programs on several campuses in Oregon, including the University of Oregon and Lewis & Clark College. Additionally, students have taken on campaigns to increase on-campus and statewide use of recycled products. Students are also launching mailed product packaging through a statewide "Recycle Watch Campaign."



VOTER REGISTRATION

OSPIRG has long recognized the importance of students in the electoral process. Since the formation of the National Student Campaign for Voter Registration in 1984 over 1,200 new voters have been registered.



Youth Vote '94, a national coalition of the FUTURE, Campus Green Vote, Green Corps, Rock the Vote and ACOGRI launched this year on registering and getting out the youth vote. Record numbers of students were registered and turned out to vote, dramatically demonstrating the power of students.

OSPIRG/AD000031

HUNGER & HOMELESSNESS

Every year students provide hundreds of hours of community service, organize public education events and handouts around the issues of hunger and homelessness. Each fall OSPIRG organizes Hunger and Homelessness Week. The week includes speakers, workshops, food drives and more.



OSPIRG students also organize the state's largest annual community service day, the Hunger Clean-Up. Every spring, thousands of students join together to provide critical able, labor and energy to non-profit relief organizations and shelters. The Clean-Up is also a fundraising event, with the money raised going to provide local and international relief.

TOXICS

Campaigns against toxic releases have resulted in the passage of landmark pollution prevention and toxic clean-up programs. Campus projects also expose the risks presented by the over-reliance on agricultural chemicals. Campaigns around death and pesticides are challenging political leaders to protect public health by reducing the amount of toxics released into the environment. It's student research and brave the solutions that play an integral role in protecting Oregon's precious environment from toxic contamination.



RECENT ACCOMPLISHMENTS

LANDMARK RECYCLING PROGRAM

In 1991, students from around the state worked to successfully create Oregon's landmark recycling program. In 1991, students overwhelmingly favored special interest attempts to get that law by gathering hundreds of postcards and delivering at public hearings, presenting one of the strongest political recycling bills in the nation.

RECORD VOTER REGISTRATION

In 1991 over 22,000 students in Oregon and over 250,000 students nationwide registered to vote through the OSPIRG-founded Youth Vote '94 coalition. Students working with OSPIRG and student governments statewide mobilized an unprecedented number of new voters on election day.

NATIONAL HUNGER CLEAN-UP

Each year hundreds of students organize and participate in the nation's single largest volunteer service day. From mobilizing hundreds to cleaning out backlogs, students in Oregon annually organize Hunger Clean-Up, accompanying much needed work and also raising thousands of dollars to relief locally and internationally.

HARD HITTING CONSUMER REPORTS

Student research and investigations has long been the lifeblood of the many consumer reports released each year by OSPIRG. In recent years, students have uncovered everything from playground safety violations to rising bank fees and dangerous products. By making these findings public, OSPIRG provides critical consumer information to the public.

HOW TO GET INVOLVED

OSPIRG PROGRAMS

Programs offered by OSPIRG are open to all students at schools with hundred chapters. By designing and implementing campaigns, students gain issues expertise and valuable skills.

INTERNSHIPS

Many students gain course credit while working on issues that concern the future of the environment and society. Students choose to work either with issue based project groups or do independent research. Internships give students the opportunity to take field education out of the classroom, work with professional staff and do hands-on work to real the situation.

PROJECT COORDINATORS AND VOLUNTEERS

Involvement with OSPIRG can easily fit into even the busiest schedule. Whether you have 2 or 12 hours a week to volunteer, OSPIRG provides a unique opportunity to work on meaningful issues and make your campus community stronger.

FOR MORE INFORMATION CALL,

OSPIRG (503) 221-4181 x206
1536 SE 11th
Portland, OR 97214
Contact: Lauren Kik

Campus Chapters:
University of Oregon (503) 346-4377
Lane Community College (503) 741-4501 x2168

Lewis & Clark College (503) 768-2128
Portland State University (503) 725-4500

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EXB 116
March 2, 1992

OSPIRG

OREGON STUDENT PUBLIC INTEREST RESEARCH GROUP

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What is OSPIRG?

Since 1971, the Oregon Student Public Interest Research Group (OSPIRG) has combined the power of student activism with the expertise of a professional staff to promote policy and legislation that preserves the environment, protects consumers and empowers citizens. Organized into campus chapters supported by student activity fees, OSPIRG provides students opportunities to attack social problems, learn from experienced researchers and advocates, and assume organizational responsibilities through their positions in local chapters and on OSPIRG's statewide Board of Directors.

In the process of achieving concrete goals, students take part in a unique extracurricular activity. Learning from active democratic experience, OSPIRG students successfully transform private concerns into public action to improve the quality of life for all Oregonians.

OSPIRG Accomplishments

OSPIRG students, staff and citizen members have won a variety of victories since 1971. Below is a partial list of recent accomplishments.

1990:

- OSPIRG releases the fifth annual report on dangerous toys, warning consumers prior to the holiday shopping season that not all toys are safe for children. Since 1988, OSPIRG studies have led the Consumer Product Safety Commission to recall six hazardous toys nationwide.

- OSPIRG organizes a student vote campaign involving 14 Oregon campuses and registering more than 10,000 students. OSPIRG also coordinates voter information fairs and assists with voter participation strategies.

- OSPIRG students organizes the Hunger Cleanup in Portland, Eugene and Corvallis. The Cleanup is the largest student-coordinated community service event in the country, raising thousands of dollars to help the hungry and homeless locally, nationally and internationally.

COMPLAINT FOR CIVIL
RIGHTS VIOLATIONS

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1989:

- OSPIRG successfully lobbies for the Toxics Use Reduction Act, a ground-breaking law requiring industry to reduce the use of toxic chemicals to stop pollution at its source.

- OSPIRG-backed legislation sets quality standards for foods labeled "organic." For the first time in Oregon, consumers are assured that when they buy organic food, it is truly organically grown.

1988:

- OSPIRG launches a consumer boycott of the New York Seltzer plastic can because of its detrimental effects on recycling, and wins company agreement to withdraw the can from store shelves nationally.

1987:

- OSPIRG wins its top priority in the legislature with the passage of the state Superfund, which will initiate a statewide search for abandoned toxic dumpsites and force the polluters to pay for the cleanups.

OSPIRG'S Internship Program: Practical Experience in the Real World

Many students are looking for more from a college education than they can find in the lecture hall or the library. By taking the theories taught in the classroom and applying them to "real-world" issues, students can be part of solutions to problems facing society.

OSPIRG's Internship Program is designed to give students opportunities to take their education beyond the classroom. OSPIRG interns gain a better understanding of public policy issues while getting hands-on experience in the skills of research, advocacy, organizing and lobbying, which are essential to effective citizen action.

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COMPLAINT FOR CIVIL
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Choose From a Wide Range of Internship Opportunities

OSPIRG's comprehensive environmental and consumer programs provide a variety of internship opportunities. Each internship is tailored to a student's interests and the amount of credit to be received. Internship options include:

Pollution Prevention

OSPIRG has been involved in preventing pollution from industrial toxics since 1985. The pollution prevention intern will learn skills of environmental research and data analysis by studying which toxics pose a real threat to the environment. Safe alternatives to toxic chemicals that reduce toxic pollution will also be explored.

Resource Conservation

The wandering Long Island garbage barge, the mideast crisis and the Exxon Valdez oil spill are obvious examples of the problems caused by dependence on resource consumption. If we are to build a sustainable future, we must focus more on resource conservation policies. The possible topics for this internship include researching recycling market development strategies, the viability of alternative auto fuels, or incentives to developing alternative sources of energy.

Consumer Protection

From its start in 1971, OSPIRG has been committed to protecting the rights of the consumer. Research options available for the consumer protection intern include credit card rates, renter's rights, consumer fraud in the used car business, and food and beverage labeling.

Publications

Publications interns work with OSPIRG's publications staff to produce the *Impact* (OSPIRG's statewide student report) as well as posters, fact sheets and other organizational publications. Depending on the individual student's interests, the internship may involve writing, layout design, photography and/or graphic arts.

Organizing

Organizing interns learn the skills of campaign strategies and grass-roots organizing by coordinating major campus campaigns and events. Skills include how to set and reach goals, recruit volunteers, develop leaders and run successful meetings.

Legislative Internships

The Legislative Internship Program, which offers students full-time internships during winter and/or spring term, allows students the opportunity to learn the intricacies of the Oregon Legislature in Salem. Working with OSPIRG's professional staff of lobbyists, interns conduct education campaigns, organize letter-writing drives, arrange state capitol "lobby days" and work with the media.

Other Possibilities

Opportunities do not end with those described above, nor do the options end in Oregon. Students are encouraged to pursue their own internship ideas with OSPIRG, the National Student Campaign Against Hunger and Homelessness (NSCAHH), or USPIRG, the PIRG national lobbying office in Washington, D.C.

Supervision and Training

Each OSPIRG internship offers students a structured experience under the supervision of professional staff. The organization's researchers, advocates, publicists and campus staff design programs so that students not only acquire new skills, but use their skills effectively to make an impact on public policy.

A professional staffperson works directly with each intern, training the student through day-to-day supervision and feedback. Students also have the opportunity to attend local, regional and statewide briefings, trainings, organizational retreats and student conferences where they learn more about public interest issues and political skills. At the end of each program, OSPIRG staff write an evaluation for each student, and recommend a grade when appropriate.

How to Get Credit

The process for getting college credit for internships varies from campus to campus. If you are not sure of your school's credit policies, the OSPIRG staffperson on your campus can help guide you to the appropriate faculty members or programs that sponsor internships.

Most interns work with a campus internship sponsor, most often a faculty member in the intern's chosen field of study. Your campus internship sponsor may ask you to keep a journal on your experience, read materials related to your subject, or write a paper on the results of your work.

The time commitment required of interns varies between internships and can be negotiated with the staff supervisor at the beginning of the term. With the exception of the full-time legislative internship, an intern can expect to spend from three to fifteen hours a week on his or her internship. Typically a student will receive one credit for every three hours of work a week.

How to Apply

Interested students are encouraged to apply for an OSPIRG internship at any time, although specific openings may vary. To apply, first talk with the OSPIRG staffperson on your campus, or contact the OSPIRG State Office (see below for office phone numbers). An internship coordinator will help you determine the option that suits you best. OSPIRG staff interview applicants to determine their qualifications. If you qualify, the staff will work with you to develop a specific internship proposal.

For more information or an application:

OSPIRG Internship Program

1536 SE 11th Ave.

Portland, Oregon 97214

(503) 231-1905

University of Oregon

(503) 346-4377

Portland State University

(503) 725-4500

Lewis and Clark College

(503) 768-7128

Lane Community College

(503) 747-4501 ext. 216